UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,737	04/10/2001	Chad A. Schoettger	SMQ-064 (P5765)	9630

959   7590   11/29/2004

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EXAMINER
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ART UNIT	PAPER NUMBER
2144	

DATE MAILED: 11/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *(3)* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 April 2001*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 April 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

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Detailed Office Action

1. This action is in response to the application **09/829,737** filed. **April 10, 2001.**

2. Claims **1-23** have been examined.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 1 recites the limitation "...the trust proxy setting...". There is

insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102

that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6.   Claims 1, 2, 4, 5, 8, 9, 11-13, and 16-20 are rejected under 35 U.S.C. 102(b)

as being anticipated by Chung et al. (USPN 6,012,090– Date of Patent:

January 4, 2000, herein referred to as "Chung").

7.   As to claim 1, Chung teaches the invention as claimed, including a method

comprising the steps of: providing a web page with a first and second

embedded software facility, said first embedded software facility including a

reference to a source of computer- executable code for determining the trust

proxy setting in a web browser (Fig.3, Proxy setting 138 in browser 106, and

col.11, lines 11-30); said second embedded software facility including a

reference to a source of computer-executable code (col.); receiving a request

for said web page from a web browser (col.3, line 60 to col.4, line 5); and

forwarding said web page to said web browser in response to said request

(col.4, lines 55-67).

8.   As to claim 2, Chung teaches the invention as claimed, wherein said

computer-executable code referenced by said first embedded software facility

is stored at a remote location from said web page (Fig.3 shows first embedded

software (Access Applet) is stored at a remote location from the web page

106).

9.   As to claim 4, Chung teaches the invention as claimed, including a method

comprising the steps of: providing a web browser, said web browser stored on

an electronic client device interfaced with said network, said web browser

including settings for network connections (Fig.3, browser 106 connect to

internet 104); retrieving a web page with said web browser, said web page

including a first and second software facility stored therein, said first software

facility including a reference to a source of computer-executable code for

determining the trust proxy setting in said web browser (Fig.3, Proxy setting

138 in browser 106, and col.11, lines 11-30); retrieving the code for said first

software facility (col.3, line 60 to col.4, line 5); and determining the trust

proxy setting in the network settings of said web browser by executing the

code for said first software facility (col.4, lines 55-67).

10.   As to claim 5, Chung teaches the invention as claimed, wherein said the

execution of the code referenced by said first software facility causes the trust

proxy setting of said browser to be displayed to a user of said electronic client

device as part of a notification that said trust proxy setting is not enabled

(col.8, lines 10-26).

11.   As to claim 8, Chung teaches the invention as claimed, wherein both said first

and second software facilities are Java applets (Fig. 3, Java applets).

12.   As to claim 9, Chung teaches the invention as claimed, wherein said

computer-executable code referenced by said first embedded software facility

is stored at a remote location from said web page (Fig.3, Access Applet 120

and browser 106).

13.   As to claim 11, Chung teaches the invention as claimed, including a method

for executing applets, said method comprising the steps of: providing a web

browser, said web browser stored on an electronic client device interfaced

with said network, said web browser including settings for network

connections (Fig.3, and col.10, lines 1-10); providing a first applet and second

applet stored on a web page accessible over said network, said first applet

including a reference to a source of computer-executable code for determining

the trust proxy setting in said web browser (Fig.3, Proxy setting 138 in

browser 106, and col.11, lines 11-30); retrieving said web page with said web

browser, said web browser initiating execution of said first applet (col.3, line

60 to col.4, line 5) ; and determining the trust proxy setting in the network

settings of said web browser as a result of the execution of said first applet

(col.4, lines 55-67, display result for the execution of first applet).

14.   As to claim 12, Chung teaches the invention as claimed, wherein said first

applet displays said trust proxy setting to a user of said web browser as part of

a notification that said trust proxy setting is not enabled (col.8, lines 10-30).

15.   As to claim 13, Chung teaches the invention as claimed, wherein said applets

are Java applets (col.9, lines 45-57).

16.   As to claim 16, Chung teaches the invention as claimed, wherein the code for

said first applet is stored at a remote location from said web page (Fig.3,

Access Applet 120 and browser 106).

17.   As to claim 17, Chung teaches the invention as claimed, including in a

computer network, a first and second medium holding computer-executable

instructions for a method, said method comprising the steps of: providing a

web page with a first and second embedded software facility, said first

embedded software facility including a reference to code stored in said first

medium, said first medium holding computer-executable code for determining

the trust proxy setting in a web browser, said second embedded software

facility including a reference to code stored in said second medium (Fig.3,

Proxy setting 138 in browser 106, and col.11, lines 11-30); receiving a request

for said web page from a web browser; and forwarding in response to said

request said web page (col.3, line 60 to col.4, line 5, and col.4, lines 55-67).

18.   As to claim 18, Chung teaches the invention as claimed, wherein said first

medium is located remotely from said web page storage location (Fig.3,

Access Applet 120 and browser 106).

19.   As to claim 19, Chung does not teach a second embedded software facility is

stored at a remote location from web page. However, Ingrassia, Jr teaches a

second embedded software facility is stored at a remote location from web

page (Fig.2, 104k with second ID Applet). It would have been obvious to one

of ordinary skill in the art at the time of the invention was made to implement

the teachings of Ingrassia Jr into the computer system of Chung to have a

second embedded software facility is stored at a remote location from web

page because it would have provided web page that tracking without requiring

knowledge of the details about the web navigation software.

20.   As to claim 20, Chung teaches the invention as claimed, wherein both said

first medium and said second medium are located remotely from said web

page (fig.3).

Claim Rejections - 35 USC § 103

21.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set
forth in section 102 of this title, if the differences between the subject matter sought to be patented and
the prior art are such that the subject matter as a whole would have been obvious at the time the
invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

22.   Claims 3, 10, and 21-23 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Chung et al., (hereinafter Chung) U.S. Patent No. 6,012,090

in view of Ingrassia, Jr et al., (hereinafter Ingrassia, Jr) U.S. Patent No.

6,035,332.

23.   As to claim 3, Chung does not teach the invention as claimed, wherein said

computer-executable code referenced by said second embedded software

facility is stored at a remote location from said web page. However, Ingrassia

Jr teaches the second software facility is stored at a remote location from the

web page (Fig.2, 104k with second ID Applet). It would have been obvious to

one of ordinary skill in the art at the time of the invention was made to

implement the teachings of Ingrassia Jr into the computer system of Chung to

have a second embedded software facility is stored at a remote location from

web page because it would have provided web page that tracking without

requiring knowledge of the details about the web navigation software.

24. As to claim 10, Chung does not teach a second embedded software facility is stored at a remote location from web page. However, Ingrassia, Jr teaches a second embedded software facility is stored at a remote location from web page (Fig.2, 104k with second ID Applet). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Ingrassia Jr into the computer system of Chung to have a second embedded software facility is stored at a remote location from web page because it would have provided web page that tracking without requiring knowledge of the details about the web navigation software.

25. As to claim 21, Chung teaches the invention as claimed, including a network, a method comprising the steps of: providing a first web page with a first embedded software facility, said first embedded software facility including a reference to a source of computer-executable code for determining the trust proxy setting in a web browser (Fig.3, Proxy setting 138 in browser 106, and col.11, lines 11-30); receiving a first request for said first web page from a web browser (col.3, line 60 to col.4, line 5); forwarding said first web page to said web browser in response to said first request (col.4, lines 55-67); receiving a second request for said second web page from said web browser after the execution of said first embedded software facility, said execution indicating the proxy setting in said web browser is enabled (col.8, lines 10-27); and forwarding said second web page to said web browser in response to said second request (col.4, lines 55-65). But Chung does not teaches a second web page with a second embedded software facility, said second

embedded software facility including a reference to a source of computer-executable code. However, Ingrassia, Jr teaches providing a second web page with a second embedded software facility, said second embedded software facility including a reference to a source of computer- executable code (Fig.2, 104k with second ID Applet). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Ingrassia Jr into the computer system of Chung to have a second embedded software facility is stored at a remote location from web page because it would have provided web page that tracking without requiring knowledge of the details about the web navigation software.

26.   As to claim 22, Chung teaches the invention as claimed, wherein said computer-executable code referenced by said first embedded software facility is stored at a remote location from said first web page Chung teaches the invention as claimed, wherein said first medium is located remotely from said web page storage location (Fig.3, Access Applet 120 and browser 106).

27.   As to claim 23, Chung does not teach a second embedded software facility is stored at a remote location from web page. However, Ingrassia, Jr teaches a second embedded software facility is stored at a remote location from web page (Fig.2, 104k with second ID Applet). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Ingrassia Jr into the computer system of Chung to have a second embedded software facility is stored at a remote location from web

page because it would have provided web page that tracking without requiring knowledge of the details about the web navigation software.

28.   Claims 6, 7, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chung et al., (hereinafter Chung) U.S. Patent No. 6,012,090 and Ingrassia, Jr et al., (hereinafter Ingrassia, Jr) U.S. Patent No. 6,035,332 in view of Johannes Hubert, (hereinafter Hubert) U.S. Patent No. 6,366,949.

29.   As to claims 6, and 14, Chung and Ingrassia, Jr do not teach a second applet is composed of multiple classes. However, Hubert teaches a second appliat is composed of multiple classes (col.4, lines 5-25). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Hubert into the computer system of Chung to have the second applet is composed of multiple classes because it would have provided a method and arrangement for data transfer with a higher level of applicability.

30.   As to claim 7, Chung and Ingrassia Jr do not second software facility stored on said web page is a .jar file. However, Hubert teaches second software facility stored on said web page is a .jar file (col.3, lines 10-17). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Hubert into the computer system of Chung to have the second software facility stored on said web page is a .Jar file because it would have provided that encryption of the data, the

data not only kept confidential but it can also be made even more safe through

encryption in file.

31.   As to claim 15, Chung and Ingrassia, Jr do not teach a second applet is a

compressed file. However, Hubert teaches a second applet is a compressed

file (Fig.2 Class files, and col.3, lines 10-17). It would have been obvious to

one of ordinary skill in the art at the time of the invention was made to

implement the teachings of Hubert into the computer system of Chung to have

the second applet is a compressed file because it would have provided a

method and arrangement for data transfer with a higher level of applicability.

Conclusion

32.   Any inquiries concerning this communication or earlier communications from

the examiner should be directed to **Tammy T. Nguyen** who may be reached via

telephone at **(571) 272-3929**. The examiner can normally be reached Monday through

Friday between 8:00 a.m. and 5:00 p.m. eastern standard time.

If you need to send the Examiner, a facsimile transmission regarding this

instant application, please send it to **(703) 872-9306**. If attempts to reach the examiner

by telephone are unsuccessful, the Examiner's Supervisor, Bill Cuchlinski, may be

reached at **(571) 272-3905**.

TTN

November 10, 2004

WILLIAM A. CUCHLINSKI, JR.
SUPERVISORY PATENT EXAMINER
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